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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/646,609	
	Filing Date	August 22, 2003	
	First Named Inventor	Buhler et al.	
	Art Unit	1761	
	Examiner Name	Jyoti Chawli	
Total Number of Pages in This Submission		Attorney Docket Number	BUTR-101US

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Jansson Shupe & Munger Lt.d	
Signature		
Printed name	John E. Munger	
Date	March 18, 2009	Reg. No. 37,685

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		March 18, 2009
Typed or printed name	John E. Munger	Date March 18, 2009

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MAR 25 2009



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Allen C. Buhler et al.

Attorney Docket No. BUR-101US

Serial No. 10/646,609

Group Art Unit: 1761

Filed: August 22, 2003

Examiner: Jyoti Chawli

Patent No.: 7,368,143

Issued: May 6, 2008

Title: LOW-CALORIE LOW-FAT BUTTER-FLAVORED TOPPING COMPOSITIONS AND METHODS OF PREPARATION

PETITION FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. § 1.322

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Certificate of Correction Branch

Sir:

Petitioners, pursuant to 37 C.F.R. § 1.322, petition for issuance of a Certificate of Correction to United States Patent No. 7,368,143, issued on May 6, 2008.

Petitioners request that a Certificate of Correction be issued correcting the following errors:

In column 4, lines 18-42, delete the paragraph beginning with "The invention further includes ..." and ending with "... before pasteurizing." and insert the following paragraph:

--The invention further includes a method of preparing a water-based low-calorie low-fat butter-flavored topping composition. Such method comprises forming a first mixture by blending less than about 1 part cellulose gel (preferably microcrystalline cellulose) with water to form a hydrated gel, mixing in about 1-5 parts milk powder, mixing in about 1-5 parts protein (preferably cheese whey or hydrogenated soy powder), mixing in the balance of the water, mixing in about 10-16 parts bulking agent (preferably starch hydrolyzates), and heating the first mixture to over 100°F (preferably to about 130°F); forming a second mixture by melting about 13-16 parts fat (preferably coconut fat), and mixing in less than about 1 part nonionic lipophilic

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emulsifier (preferably DURTAN™ 60), less than about 1 part nonionic hydrophilic emulsifier (preferably polysorbate 60), less than about 1 part lecithin and less than about 1 part other emulsifier (preferably monodiglyceride) into the fat; mixing the first mixture and the second mixture to form the composition; adding less than about 2 parts salt and less than about 1 part flavoring to the composition; pasteurizing the composition; cooling the composition to less than 50°F (preferably to about 40°F or to about 35°F); and packaging the composition. The method preferably further includes adding coloring (preferably annatto) to the composition before pasteurizing.--

In column 4, line 48 through column 5, line 5, delete the paragraph beginning with “The invention further includes ...” and ending with “... before pasteurizing.” and insert the following paragraph:

--The invention further includes a method of preparing a milk-based low-calorie low-fat butter-flavored topping composition. Such method comprises mixing more than 40 parts whole milk with less than 1 part cellulose gel (preferably microcrystalline cellulose), mixing in about 10-16 parts bulking agent (preferably starch hydrolyzates), mixing in more than 25 parts heavy cream, mixing in less than 0.5 parts lecithin, homogenizing the resulting composition, and packaging the composition. The method preferably includes heating the more than 40 parts whole milk to over 90°F (preferably to about 110°F), mixing in the less than 1 part cellulose gel, mixing in the about 10-16 parts bulking agent, heating to over 120°F (preferably to about 130°F), mixing in the more than 25 parts heavy cream, mixing in the less than 0.5 parts lecithin, heating to over 160°F (preferably to about 170°F), mixing in less than 2 parts salt and less than 0.5 parts coloring while heating, passing through a homogenizer at 1500 psi after holding temperature above 160°F (preferably at about 170°F) for 30 minutes, cooling to less than 90°F (preferably to about 80°F), adding less than 1 part flavoring, and packaging.--

In re Patent Application of:
Allen C. Buhler et al.
Serial No. 10/646,609
Patent No. 7,368,143

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In column 8, line 35, delete "ganima-nonolactone" and insert - -gamma-nonolactone- -.

In column 9, line 17, delete "homoaenizer" and insert - -homogenizer- - .

R e m a r k s

The patent is printed incorrectly at col. 4, lines 18-42 because it does not include the amendments to page 6, line 20 through page 7, line 5 of the patent application made in the June 22, 2006 Amendment. Correction is requested.

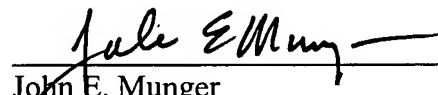
The patent is printed incorrectly at col. 4, line 48 through col. 5, line 5 because it omits the paragraph from page 7, lines 9-23 of the patent application which is supposed to be printed at this point in the patent. Instead, the patent incorrectly includes the amended form of the above-cited paragraph from page 6, line 20 through page 7, line 5 of the patent application. Correction is requested.

Two additional Office printing errors are corrected as noted.

A copy of a proposed Certificate of Correction is enclosed herewith. It is believed that no fee is due for issuance of this Certificate of Correction. However, if a fee is due, the Commissioner is authorized to debit deposit account 10-0270 for the full amount of any fee due in connection with this paper.

Dated: March 18, 2009

Respectfully submitted,



John E. Munger
Reg No.: 37,685

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Atty. Docket No.: BUTR-101US

MAR 25 2009

In re Patent Application of:
Allen C. Buhler et al.
Serial No. 10/646,609
Patent No. 7,368,143



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CERTIFICATE OF MAILING

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John E. Munger
Name

John E. Munger — March 18, 2009
Signature Date

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,368,143

Page 1 of 2

APPLICATION NO. : 10/646,609

ISSUE DATE : May 6, 2008

INVENTOR(S) : Buhler et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 4, lines 18-42, delete the paragraph beginning with "The invention further includes ..." and ending with "... before pasteurizing." and insert the following paragraph:

--The invention further includes a method of preparing a water-based low-calorie low-fat butter-flavored topping composition. Such method comprises forming a first mixture by blending less than about 1 part cellulose gel (preferably microcrystalline cellulose) with water to form a hydrated gel, mixing in about 1-5 parts milk powder, mixing in about 1-5 parts protein (preferably cheese whey or hydrogenated soy powder), mixing in the balance of the water, mixing in about 10-16 parts bulking agent (preferably starch hydrolyzates), and heating the first mixture to over 100°F (preferably to about 130°F); forming a second mixture by melting about 13-16 parts fat (preferably coconut fat), and mixing in less than about 1 part nonionic lipophilic emulsifier (preferably DURTANT™ 60), less than about 1 part nonionic hydrophilic emulsifier (preferably polysorbate 60), less than about 1 part lecithin and less than about 1 part other emulsifier (preferably monodiglyceride) into the fat; mixing the first mixture and the second mixture to form the composition; adding less than about 2 parts salt and less than about 1 part flavoring to the composition; pasteurizing the composition; cooling the composition to less than 50°F (preferably to about 40°F or to about 35°F); and packaging the composition. The method preferably further includes adding coloring (preferably annatto) to the composition before pasteurizing.--

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UNITED STATES PATENT AND TRADEMARK OFFICE

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In column 8, line 35, delete "ganima-nonalactone" and insert - gamma-nonalactone- .

In column 9, line 17, delete "homoaenizer" and insert - homogenizer- .

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